

**9626. RESOLUTION 07-33 - AUTHORIZING THE SECOND AMENDMENT TO LEASE BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND NORTH AMERICAN ENERGY SERVICES AT THE SALEM BUSINESS CENTRE**

WHEREAS, The Delaware River and Bay Authority (the "DRBA") and North American Energy Services ("NAES") entered into a lease agreement for approximately 6,500 of rentable square feet at the Salem Business Centre on October 1, 2003 (the "Original Lease"); and

WHEREAS, the parties executed a First Amendment to Lease on June 14, 2005 for an additional 2,697.5 of rentable square feet; and

WHEREAS, the Original Lease established the year 2003 as the Base Year for purposes of calculating reimbursement to the DRBA from NAES for expenses connected with the Premises delineated as Suite 100, 1 Collins Drive, Carney's Point, New Jersey, with rentable square footage totaling 8,702.5; and

WHEREAS, the parties have determined that it is appropriate to use 2004 as the Base Year for the Lease and therefore requires the Original Lease to be so modified.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Second Amendment To Lease with NAES and, with the advise and consent of counsel, to have the Second Amendment To Lease executed by the Chairperson, Vice Chairperson, and the Executive Director.

With Deputy Executive Director Rainear noting that this Resolution is a housekeeping matter, a motion to approve Resolution 07-33 was made by Commissioner Lowe, seconded by Commissioner Cooper, and approved by a roll call vote of 10-0.